

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

PARENTS DEFENDING
EDUCATION,

Plaintiff,

v.

OLENTANGY LOCAL SCHOOL
DISTRICT BOARD OF EDUCATION,
et al.,

Defendants.

Case No. 2:23-cv-01595

DECLARATION OF PARENT A

1. I live within the boundaries of the Olentangy Local School District (the “District”) and am the parent of a school-aged child.

2. I am over the age of eighteen and under no mental disability or impairment. I have personal knowledge of the following facts and, if called as a witness, would competently testify to them.

3. I am a member of Parents Defending Education.

4. My child is enrolled in a District high school and will continue to attend the same school next year.

5. My high-school-aged child is also a member of Parents Defending Education.

6. I believe that people are either male or female. I acknowledge that gender dysphoria exists but believe that it is historically a rare condition. I believe there is a difference between gender dysphoria and a child’s confusion about their gender, which can lead a child to adopt a different name, pronouns, clothing, and so forth. I also believe that confusion about

gender can be a part of adolescence and that it does not always persist beyond adolescence. I believe that issues of gender are sensitive issues that should be left to families to discuss and resolve, not to schools. These views stem from my sincerely held religious beliefs.

7. I have raised my child to believe that biological sex is immutable and does not change based on someone's internal feelings. I have taught my child to be respectful to others but also to tell the truth and always stand up for their beliefs, even when those beliefs are unpopular.

8. My child believes that people are either male or female and that a child cannot "transition" from one sex to another. My child has no ill-will toward children or adults who identify as transgender or nonbinary, but my child does not want to be forced to "affirm" that a biologically female classmate is actually a male—or vice versa—or that a classmate is "nonbinary" and neither male nor female. Doing so would contradict the deeply held beliefs of our family, including my beliefs that I have imparted to my child and my child's own sincerely held religious beliefs.

9. My child knows and routinely comes into contact with students that identify as transgender or nonbinary at school.

10. When issues involving gender identity arise in class or in school-sponsored activities, my child wants to speak about these topics and wants to repeatedly state their belief that biological sex is immutable.

11. In addition, my child wishes to use pronouns that are consistent with a classmate's biological sex, rather than the classmate's "preferred pronouns"—*i.e.*, the pronouns that the classmate has decided reflects the classmate's gender identity. My child

wishes to use the pronouns that are consistent with my child's classmates' biological sex repeatedly and at all times, including inside and outside the classroom, in the classmates' presence, and when referring to the classmates outside their presence. My child understands that their speech will be considered "insulting," "humiliating," "dehumanizing," "derogatory," and "unwanted" to those who want to go by different pronouns. But my child has no ill will against these students. My child just wants to express their deeply held views.

12. My child also wants to communicate their beliefs about controversial topics, including gender identity, on a regular basis and to send materials about those topics through my child's personal phone, computer, and on social media. My child wants to discuss these topics with other students and the Olentangy community both on and off campus, including during off-campus activities with no connection to any school-related activity.

13. My child self-censors, however, because my child fears that expressing their belief that sex is immutable—by using biologically accurate pronouns or otherwise explaining their views—will cause my child to be punished for violating school policies.

14. For example, my child refrains from using pronouns that correlate with classmates' biological sex and avoids any conversation involving sex and gender because of the District's policies. When my child is called upon in class, my child feels like they have no choice except to tell the teachers what they want to hear and phrase their responses as narrowly as possible, because my child knows that openly expressing their convictions can lead to disciplinary action.

15. My child's fear of speaking openly is informed by years of personal experience with the District and its officials. For example, my child enrolled in a class on a subject they

were interested in. The classroom walls were covered in flags that expressed only one view about gender ideology. These actions, combined with my child's knowledge of the District's harassment policies, created a classroom environment that made my child deeply uncomfortable and ultimately led me to withdraw my child from the class. Because of the District's policies and the classroom environment, my child was denied an opportunity to maximize their college admissions opportunities.

16. My child and I are also aware that, according to the District, "[a] student purposefully referring to another student by using gendered language they know is contrary to the other student's identity would be an example of discrimination under Board Policy."

17. I want my child to be educated in an environment that involves the free exchange of ideas and to be free to express their beliefs, even if others disagree with them or find them offensive. I do not want my child to be forced to affirm beliefs about gender identity that are inconsistent with their deeply held convictions.

18. Under the District's school policies, however, my child can be punished for the things my child wants to say, including expressing opinions about the immutable nature of biological sex, using pronouns that are not a student's "preferred pronouns," disagreeing with students' assertion about whether they are male or female, stating that biological males who identify as female should not be allowed to compete in women's sports, and expressing discomfort about sharing bathrooms with teachers or students of the opposite biological sex.

19. I am concerned that my child will be subjected to formal discipline unless they affirm ideas that are inconsistent with their deeply held beliefs. Such discipline for speech consistent with my child's own deeply held convictions is detrimental to my child's current

school experience, and I fear it will also harm my child's college admission chances and my child's extracurricular opportunities.

20. I also worry that being disciplined for stating their fundamental beliefs will inflict mental and psychological harm on my child by forcing them to "choose" between expressing their beliefs and following the instructions of teachers and other Olentangy authority figures. This is no way to live in a free society.

21. Further, I know that the process of repeatedly being subjected to discipline for stating their beliefs will expose my child to reputational harm and personal attacks from other students and members of the Olentangy community.

22. My child has repeatedly told me that they want to go to school in an environment that allows my child to express their views. I have watched my child steadily lose self-confidence over the course of the 2022-2023 school year because of the District's speech policies.

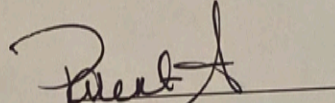
23. My constant anxiety that my child will be subjected to this harm has, in turn, caused me emotional and psychological harm. For example, it has caused me to question whether to instruct my child to follow their conscience, remain silent, or affirm viewpoints contrary to their conscience in order to preserve my child's college opportunities. It has also caused me to question whether I am subjecting my child to these harms from the District's policies by not withdrawing my child from Olentangy, even though our family cannot afford the financial strain that would impose.

24. I am signing this declaration under a pseudonym because I live in Olentangy and, if my participation in this litigation becomes public, I fear reprisal from school officials,

my child's teachers and fellow students, and members of the broader community. I also want to protect the identity and privacy of my child concerning these deeply sensitive issues.

Pursuant to 28 U.S.C. §1746, I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

Executed this 28th day of April, 2023


Parent A